

City Council
Atlanta, Georgia

00-0-1895

SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-00-89
12-14-00

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at **1265 Memorial Drive, S.E.** be changed from the **R-4 (Single-Family Residential)** District, to the **C-2-C (Commercial Service-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **177** of the **15th** District, **DeKalb** County, Georgia, being more particularly described by the attached legal description.

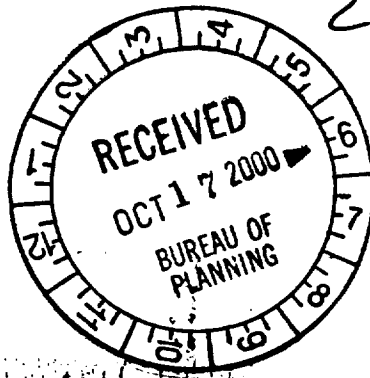
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinance in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-00-89

1. The proposed townhome development shall occur according to the submitted site plan that is titled "Proposed Site Plan", which was prepared by Keith J. Hicks, Registered Architect #5271 of Georgia, at a scale of 1"=20', that is undated, and is stamped as "RECEIVED" by the Bureau of Planning on October 17, 2000.
2. A handicapped parking space shall be designated within the visitors' parking area, with dimensions that meet City design standards.
3. If individual refuse containers are not used for the townhomes, a community refuse dumpster shall be provided in an acceptable location on the property, with appropriate access and screening.
4. A tree planting should be submitted according to the City Arborist's specifications.



2-00-84

All that tract or parcel of land lying and being in Land Lot 177 of the 15th District of DeKalb County, Georgia, being Lot 1 and Lot 2, Block A of the Fred Koch Home Place; being more particularly described as follows:

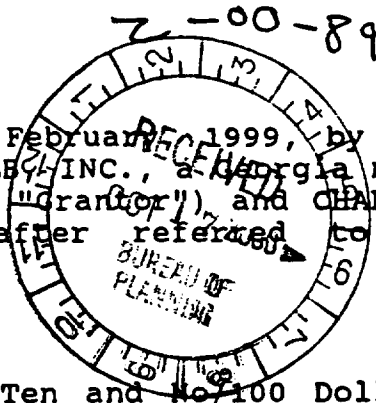
BEGINNING at the southwest corner of the intersection of Memorial Drive and Trenton Street; running thence west along the south side of Memorial Drive one hundred (100) feet; thence south one hundred ninety-one and twenty-seven hundredths (191.27) feet; thence east one hundred (100) feet to the west side of Trenton Street; thence north along the west side of Trenton Street one hundred ninety-one and one-tenth (191.1) feet to the POINT OF BEGINNING; being a vacant lot.

Sheet 1 of 3

STATE OF GEORGIA
COUNTY OF DEKALB

LIMITED WARRANTY DEED

THIS INDENTURE is made this 25th day of February 1999, by and between INITIATIVE FOR AFFORDABLE HOUSING/DEKALB, INC., a Georgia non-profit corporation (hereinafter referred to as "Grantor"), and CHARITY GARCIA-ELLIOTT and ELOSHUA ELLIOTT (hereinafter referred to as "Grantee").



W I T N E S S E T H:

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, Grantor has granted, bargained, sold, conveyed, and confirmed and by these presents does grant, bargain, sell, convey, and confirm unto Grantee, and the successors and assigns of Grantee, the following described property to wit:

All that tract or parcel of land lying and being in Land Lot 177 of the 15th District of Dekalb County, Georgia, being Lot 1 and Lot 2, Block A of the Fred Koch Home Place, as per plat recorded in Plat Book 5, Page 40, Dekalb County, Georgia Records, which plat is incorporated herein by this reference and made a part of this description.

This conveyance is made subject to any easements, restrictions, and encumbrances of record and specifically is made subject to City and County ad valorem property taxes for the tax years 1998 and 1999, (if any), which shall be the responsibility of Grantee.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee, and the successors and assigns of Grantee, forever IN FEE SIMPLE.

GRANTOR HEREBY WARRANTS and will forever defend all right, title and interest in and to the above-described property unto Grantee and the successors and assigns of Grantee against the lawful claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, Grantor has caused its duly authorized officers to execute this document under seal, on the day and year first above written.

GRANTOR:

INITIATIVE FOR AFFORDABLE
HOUSING/DEKALB, INC.
a Georgia Non-Profit Corporation

By: Richard W. Stephens
Richard W. Stephens, President

Sheet 2 of 3

Signed, sealed and delivered
in the presence of:
[Signature]
Unofficial Witness

[CORPORATE SEAL]

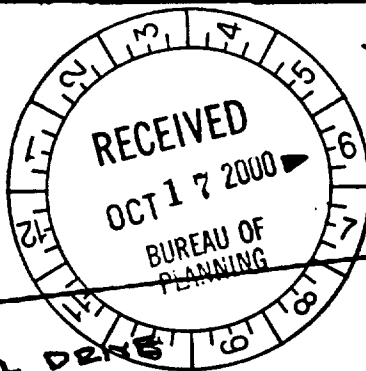


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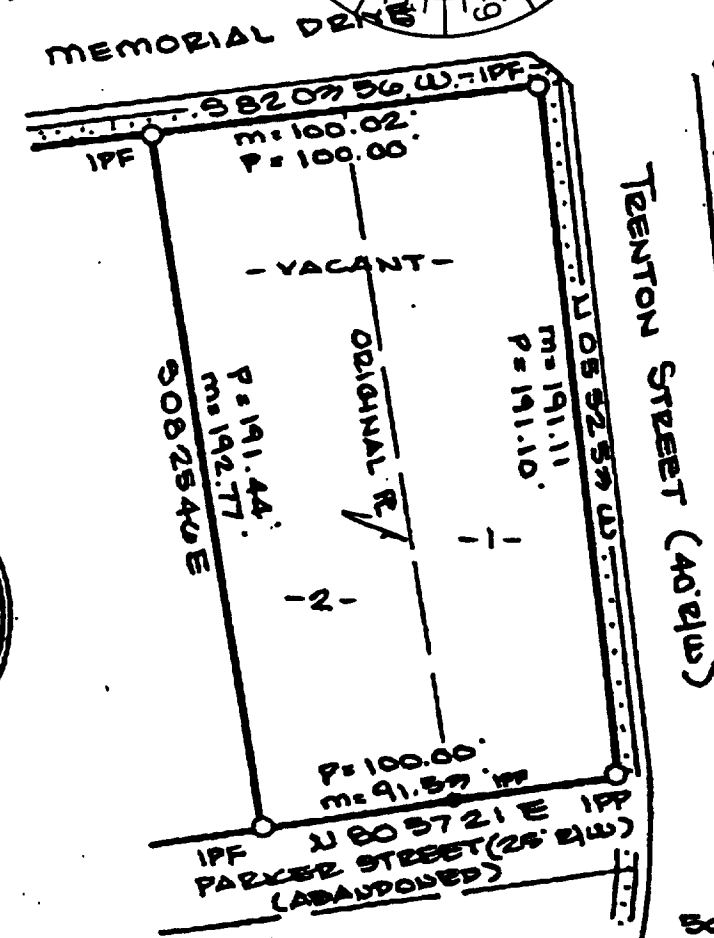
LEGEND

IPP - IRON PIN POINT
IPF - IRON PIN SET
S/O - RIGHT OF WAY
C.L. - BUILDING LINE
C - CENTERLINE
LL - LAND LOT
LLL - LAND LOT LINE
D.E. - DRAINAGE EASEMENT
S.E. - SANITARY SEWER EASEMENT

ALL CORNERS ARE 1/2" PEGS
UNLESS NOTED



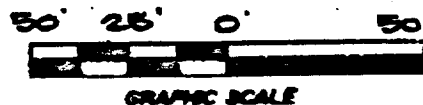
200-89



Sheet 3 of 3

I HAVE THIS DATE, EXAMINED THE
THE OFFICIAL PLANNED HAZARD MAP
AND FOUND REFERENCED HEREIN (NOT)
IN AN AREA PERIOD SPECIAL PLANNED HAZARD.

AREA = 0.42 ACRES



THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS
A CLASSED PRECISION OF ONE FOOT IN OPEN FEET AND AN
ADJUSTED ERROR OF ONE FOOT PER MILE POINT, AND HAS
BEEN ADJUSTED USING CRANWELL'S RULE. THIS MAP OR PLAT HAS
BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCU-
RATE WITHIN ONE FOOT IN 50,000 FEET.

EQUIPMENT USED:
TOPCON 673-500 & TRANSIT W/ 600' STEEL TAPE.

IN MY OPINION, THIS PLAT IS A CORRECT
REPRESENTATION OF THE LAND PLATTED AND
HAS BEEN PREPARED IN CONFORMITY WITH
THE APPLICABLE STATUTES AND REQUIREMENTS OF LAW.

Ricky C. Busbee
BUSBEE SURVEYING CO., INC.
LAND SURVEYING

3151 MAIN STREET, DULUTH, GEORGIA 30096

PH. 770-497-9886

Fax 770-497-9881

SURVEY FOR:

CHARITY GARCIA ELLIOTT

| LOT(S) | REVISIONS |
|-------------------------------|------------|
| 1 & 2 BLOCK "A" | 10/13/00 |
| FRED KOCH HOME PLACE | |
| PLAT BK 5, PG. 40 | |
| LAND LOT 177 | CC 115 |
| 15TH DISTRICT | OWN 115 |
| DEKALB COUNTY, GEORGIA | CHD 22 |
| DATE: 2.27.00 SCALE: 1" = 50' | JOB #18973 |
| | 20 |